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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,888	06/08/2001	Takashi Yamamoto	1095.1187	9572

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

PAPPAS, PETER

ART UNIT	PAPER NUMBER
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2671

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,888

Applicant(s)

YAMAMOTO, TAKASHI

Examiner

Peter-Anthony Pappas

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 03 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2-4, 6-7, 11 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Ota et al. (U.S. Patent No. 5, 003, 498).

3. In regards to claim 1 Ota et al. teaches a graphics display method, wherein graphics processing or geometric modeling functions is effect efficiently producing an object having a 3D shape, and a graphic display apparatus having geometric modeling functions, which performs the steps of dividing a 3D shape into a number of geometric entities (primitive solids – geometric features) defining a given object 3D shape as a synthesis of memorized geometric entities (column 2, lines 44-47 and lines 60-66; column 6, lines 30-37).

Said graphics display and display method comprise the steps of determining 2D drawings, which are taken in a number of directions (perspectives), of one object to be displayed via a display means 12 (column 3, lines 28-33; column 5, lines 64-68). The geometry entities consist of a top view, a front view, a side view and a perspective view (column 3, lines 40-43; Fig. 23) – a plurality of orthographic projection views.

The designer 1 designates an entity, which he desires to move, with the stylus pen 6 (graphic element selection means), via the four divisional picture frames 30-33 on

each of which the movement of said entity can be ascertained (column 15, lines 3-25; Fig. 23). It is noted the movement of said entity via picture frames 30-32 is considered to result the movement of said entity in picture frame 33, wherein said entity as displayed in said picture frame 33 (3D feature selection means) is considered a 3D geometric feature. Furthermore, by designating said entity in an of said four divisional picture frames it is noted said entity is considered to be set to a selected state in which said designer can further manipulate said entity.

4. In regards to claim 2 the rationale disclosed in the rejection of claim 1 is incorporated herein. It is noted said top, front, side and perspective views are considered indicative of a given line of sight, respectively.

5. In regards to claim 3 Ota et al. teaches that a given object having a 3D shape is produced by the set operation (functions for determining a union, a subtraction and an intersection) of the geometry entities (column 6, lines 30-37). In order to change the 3D shape, the related entity information alone may be transferred, so that the changing and inputting of a shape can be done efficiently (column 14, lines 21-27).

6. In regards to claim 6 the rationale disclosed in the rejection of claim 1 is incorporated herein. Ota et al. teaches a system for performing interactions between a designer 1 and a graphic display control apparatus 2 or a host computer (application system) 3. When the command 4 is required to be processed by the host computer 3, it is transferred thereto via an interface means 9. The host computer 3 has an application program 10 loaded thereon (column 5, lines 44-58). It is inherent that an application

program, which is loaded on a given host computer, is stored on a computer-readable medium.

7. In regards to claim 7 it is noted said top, front, side and perspective views are considered hierarchically structured as said top, front and side views are elements which comprise a root perspective (3D) view. Ota et al. teaches a method for superimposing (overlying) an entity on another (column 16, lines 48-53).

8. In regards to claim 11 the rationale disclosed in the rejection of claim 1 is incorporated herein.

9. In regards to claim 16 the rationale disclosed in the rejection of claim 1 is incorporated herein. Ota et al. teaches a graphic display control apparatus 2 and host computer 3 (2D drawing generating unit and 3D feature selection unit), graphic display means 12 (display) and stylus pen 6, command 4 and designer 1 (graphic element selection unit (column 5, lines 46-52; Fig. 1).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ota et al. (U.S. Patent No. 5, 003, 498), applied to claims 1, 2-4, 6-7, 11 and 16.

12. In regards to claim 5 Ota et al. teaches if the stylus pen 6 is moved in, for example, the divisional picture frame 30, a reference point of the cylinder is altered so

that the point to which the stylus pen 6 has been moved and the origin of the geometry entity coordinate system 18 of the cylinder agree with each other, and the drawing data on this condition are prepared, the resultant data being re-indicated on the graphic display 12 (column 15, lines 10-22). Ota et al. fails to explicitly teach having the identified geometric feature appear with emphasis, in contrast to other features shown in a 3D view on the monitor screen.

It is well known that when making a selection of any given object in a conventional computer graphics system that said object is given emphasis, i.e. either visually or audibly, in contrast to any surrounding objects in the area said object resides (official notice; see MPEP § 2144.03), and thus it would have been obvious to one skilled in the art, at the time of the applicant's invention, to incorporate said selection emphasis into the system as taught by Ota et al., because by identifying a given user selected object with emphasis, from other surrounding possibly like objects, it allows a user to focus in on said object without becoming distracted from said surrounding objects and thus allows for said user to more clearly identify what object they have selected.

13. Claims 8-9 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota et al. (U.S. Patent No. 5, 003, 498), applied to claims 1, 2-4, 6-7, 11 and 16, in view of Watanabe et al. (U.S. Patent No. 5, 701, 403).

14. In regards to claim 8 the rationale disclosed in the rejection of claim 3 is incorporated herein. It is noted set operation (functions for determining a union, a subtraction and an intersection) are considered Boolean operations. Ota et al. fails to

explicitly teach a database means for storing a database of the orthographic projection views associated with the 3D geometric features. Watanabe et al. teaches a: drawing regulation data base 4 for storing data showing a correspondence between drawing regulations and drawing in the CAD system; product model data base 7 for storing data which represents the shape of a product model created by the product modeling building section 3; drawing data base 9 for storing 2D drawing data produced by the drawing data production section 8 (column 13, lines 23-59).

It would have been obvious to one skilled in the art, at the time of the applicant's invention, to incorporate a database storage means as taught by Watanabe et al. into the system as taught by Ota et al., because while Ota et al. teaches transferring entity information, thus maintaining said entity information, Ota et al. does not elaborate on how said entity information is stored for retrieval after transfer and as such incorporating a data base for the storage of said entity information would alleviate this issue as well as provide a means for later search and retrieval of said information, providing a centralized storage location for accessing stored entity information.

15. In regards to claim 9 Ota et al. fails to explicitly teach wherein the 3D feature selection means searches the database for the one of the 3D geometric feature corresponding to the selection graphic element. Watanabe et al. teaches input information interpreting section 2 enables the drawing processing section 61, wherein the drawing processing section 61 searches for the 2D drawing which corresponds to the updated product model data in the 2D-3D link data base 5 and retrieves the 2D drawing data from the drawing data base 9. The drawing processing section 61

modifies the remaining views, which the user has not changed, included in the retrieved drawing data (column 19, lines 29-36).

It would have been obvious to one skilled in the art, at the time of the applicant's invention, to incorporate the searching of a database for 2D drawing information as taught by Watanabe et al. into the system as taught by Ota et al., because by utilizing a central storage location for stored entity/drawing information, as shown above, provides a means by which said information can now be retrieved and thus would allow for a system incorporating such a storage and retrieval means to more easily access information multiple times without requiring for said information to be recreated. In addition by utilizing a well known data storage format such as a database said information could be more easily transferred amongst computer systems allowing for said information to be more easily updated with new information or swapped out for new information, for example.

16. In regards to claim 12 the rationale disclosed in the rejection of claim 8 is incorporated herein.

17. In regards to claim 13 Ota et al. teaches a graphic display apparatus having geometric modeling functions, which performs the steps of dividing a 3D shape into a number of geometric entities (geometric form definitions) defining a given object 3D shape as a synthesis of memorized (stored) geometric entities (primitive solids). Ota et al. fails to explicitly teach a 3D model database in which said geometric form definitions are stored. Watanabe et al. teaches a product model data base 7 for storing data which represent the 3D shape of a product model (column 13, lines 23-59).

It would have been obvious to one skilled in the art, at the time of the applicant's invention, to incorporate a database storage means as taught by Watanabe et al. into the system as taught by Ota et al., because while Ota et al. teaches utilizing memorized (stored) entity information Ota et al. does not elaborate on how said entity information is stored for retrieval and as such incorporating a data base for the storage of said entity information would alleviate this issue as well as provide a means for further search and retrieval of said information, providing a centralized storage location for accessing stored entity information.

The rationale disclosed in the rejection of claims 1 and 8 are incorporated herein.

18. In regards to claim 14 it is noted said system is considered to perform the extracting creating, entering, displaying of the orthographic projection view data, identifying and displaying the 3D view are performed in sequence. Furthermore it is noted that "sequence" does not imply any particular order and thus said claim language is interpreted accordingly.

19. In regards to claim 15 see Fig. 9a and Fig. 23.

20. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ota et al. (U.S. Patent No. 5, 003, 498), applied to claims 1, 2-4, 6-7, 11 and 16, in view of Foley et al. (Computer Graphics: Principles and Practice).

21. In regards to claim 10 Ota et al. fails to explicitly teach where 3D geometric features other than the identified one of the 3D geometric features are masked. Foley et al. teaches that a primitive can be clipped (masked) prior to scan conversion to a clip

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rectangle, wherein pixels belonging to said primitive that are outside the clip region are not displayed.

It would have been obvious to one skilled in the art, at the time of the applicant's invention, to incorporate clipping into the system as taught by Ota et al., because as Foley et al. al teaches the advantage of clipping before scan conversion is that the scan covert must deal with only the clipped version of the primitive, not with the original (possibly much larger) one. In addition by isolating said primitive to the point where everything else is not scan converted it allows for a large quantity of emphasis on be placed on said primitive.

Response to Arguments

22. In response to applicant's remarks in regards to the rejections under 35 U.S.C. § 102 and 103 said remarks are moot in view of the new grounds of rejection. This is not an indication that said remarks were persuasive only that better references were discovered from an updated search.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is as follows: Voll et al. (U.S. Patent No. 5, 551, 028); Berteig et al. (U.S. Patent No. 5, 956, 031); Millstein (U.S. Patent No. 5, 821, 941); Nishihara (U.S. Patent No. 6, 226, 004 B1).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter-Anthony Pappas whose telephone number is 703-305-8984. The examiner can normally be reached on M-F 10:00am-7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on 703-305-9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peter-Anthony Pappas
Examiner
Art Unit 2671

PAP


MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600